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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Werling et al.)
Serial No.:	10/035,821) Art Unit: 1615
Filed:	October 19, 2001) Examiner: Simon J. Oh
Title:	Method for Preparing Submicron Particle Suspensions with Polymorph Control) Confirmation No. 2470
Docket No.:	CPIFT-5657A-1 CIP 1)

TERMINAL DISCLAIMER PURSUANT TO 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

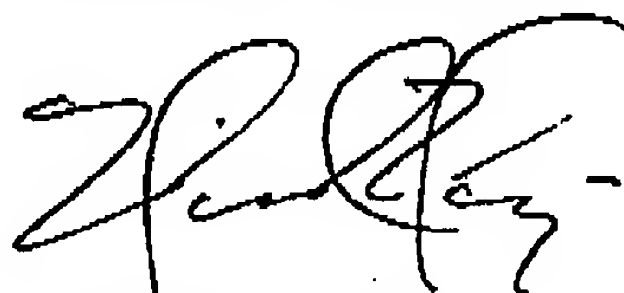
Petitioner hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of Patent number 6,607,784 ("Prior Patent"), or which would extend beyond the expiration date of any patent granted on Application number 09/874,499, filed June 5, 2001; Application number 09/874,637, filed June 5, 2001; Application number 09/953,979, filed September 17, 2001; and Application number 10/021,692, filed December 12, 2001 (the Applications collectively, "Prior Applications") as shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the Prior Applications and the Prior Patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

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Respectfully submitted,



Michael C. Mayo
Registration No. 38,545
Attorney for Applicant

BAXTER INTERNATIONAL INC.
One Baxter Parkway, DF3-2E
Deerfield, IL 60015
847-948-2136
slg/